

REMARKS

In response to the outstanding Office Action dated October 9, 2009, applicant has carefully studied the references cited by the Examiner and the Examiner's comments relative thereto.

Claims 1-3, 6-8, and 11 have been amended.

Claims 4, 5, 9, and 10 have been cancelled.

No new matter has been added to the application.

Claims 1-3, 6-8, and 11 remain in the application.

As a preliminary matter, applicant acknowledges with sincere appreciation the courtesy of the Examiner extended to applicant's representatives in the telephone interview held December 7, 2009. During the interview, amendments to the claims were discussed. It was suggested amending the claims to recite varying the magnetic field during a deformation of a blank of sheet metal would more clearly define and distinguish the applicant's invention. The Examiner acknowledged that such an amendment would appear to distinguish the applicant's invention over the references of record. The Examiner also advised that amended claims reciting varying a magnetic force during deformation of a blank of sheet metal would require further search and consideration.

Claims 5-10 were rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. As pointed out by the Examiner, Claim 5 depends from a cancelled claim and is a duplicate of Claim 2, and Claim 7 depends from a cancelled claim. To correct the inconsistency, Claim 5 has been cancelled and Claim 7 has been amended to depend from Claim 3. Withdrawal of the rejection under 35 USC 112, second paragraph, is respectfully requested.

Applicant's invention includes the use of a magnetic field to restrain the movement of a blank of material while the blank is being deformed. A control system is provided to vary the strength of the magnetic field during deformation of the blank of material to allow selected movement of the blank.

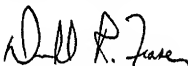
Claims 1 and 11 have been amended to recite varying the magnetic field during the deformation of a blank of sheet metal. The cited references neither disclose nor suggest the concept of varying the magnetic field during the deformation of a blank of sheet metal. Accordingly, it is submitted that Claims 1 and 11 are neither anticipated under 35 USC §102(b) nor rendered obvious under 35 USC §103. It is requested that the Examiner's rejections be reconsidered and withdrawn.

Since Claims 2, 3, and 6-8 depend, directly or indirectly, from Claim 1, it is submitted that Claims 2, 3, and 6-8 are directed to allowable subject matter along with Claim 1.

The claims remaining in the application properly define Applicant's invention and distinguish it from the prior art of record. Reconsideration of the application, as amended, is respectfully requested. Accordingly, a formal Notice of Allowance is solicited.

While the Applicant's attorney has made a sincere effort to properly define Applicant's invention and to distinguish the same from the prior art, should the Examiner deem that other language is preferable, Applicant's attorney requests the courtesy of a telephonic interview.

Respectfully submitted,



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